

Douglas J. Foster
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February 11, 2009

Dorothy Li for the Honorable Robert D. Drain
United States Bankruptcy Court for the Southern District of New York
One Bowling Green
New York, NY 10004

Ref: Delphi Corporation "Salaried OPEB Termination Motion"
Document # 14705

Dear Judge Drain:

This letter is to express my concerns with Document #14705 filed by Delphi Corporation on February 4, 2009 asking the court to cancel health insurance and life insurance benefits (OPEB) for over 15,000 people who are salaried retirees of Delphi Corporation.

Please note that this letter is an **OBJECTION** to that document and file it as a motion to object to document #14705.

Furthermore, please note that I **request a delay** in the effective date until no earlier than May 1, 2009, should the Delphi motion be granted.

Article 52 in Delphi's motion states: "As a rule, the debtor's business judgment "should be approved by the court unless it is shown to be 'so manifestly unreasonable that it could not be based upon sound business judgment, but only on bad faith, or whim or caprice.'" In re Aerovox, Inc., 269 B.R. 28 74, 80 (Bankr. D.Mass. 2001) (quoting In re Logical Software, Inc., 66 B.R. 683, 686 (Bankr. D. Mass. 1986)).

This is clearly a "bad faith" decision, providing minimal relief to the debtor and enormous hardship to the retirees and their communities.

Since Delphi's lack of common decency is irrelevant to bankruptcy law, I expect their motion to be approved. I would request, however, that the effective date be at least 60 days after we receive the election packet from Delphi's contract HR folks (the decision period afforded potential COBRA insureds). Since that is forecast for the end of February, Delphi's motion should be granted effective no earlier than May 1, 2009.

Please know that each of the 15,000 retirees who will be negatively impacted by this action will be looking to you for your consideration when making the decision concerning Delphi's motion dated February 4, 2009.

We ask you to REJECT or DELAY this motion for debtors' authority to cancel OPEB (health & life insurance benefits) for all salaried retirees ("SALARIED OPEB TERMINATION MOTION").

Thank you for your consideration.

Sincerely,



Douglas J. Foster
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